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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY *et al.*

Appl. No. 09/177,387

Filed: October 23, 1998

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Art Unit: 1636

Examiner: Yucel, R.

Atty. Docket: 0942.2850004/RWE/BJD

**Reply To Restriction Requirement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated March 15, 1999, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group II, represented by claims 26-35. This election is made without traverse, and without prejudice to or disclaimer of the other claims or inventions disclosed.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

It is believed that this application is in condition for immediate examination. Early notification to this effect is earnestly solicited.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: April 15, 1999

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**Preliminary Amendment and  
Submission of Substitute Sequence Listing**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In advance of prosecution on the merits in the above-identified application, and in reply to the Notice to Comply With Sequence Requirements dated March 15, 1999, please amend the application as follows:

***In the Specification:***

In the specification at page 1, line 9, after "June 7, 1996" and before the comma, please insert --(now U.S. Patent No. 5,888,732)--.

Please delete the sequence listing (pages 1-19 appended to the specification after the drawings) in its entirety, and insert therefor the substitute sequence listing attached hereto (pages 1-19).